

APPROVED AS AMENDED BY THE BOARD OF SELECTMEN

**TOWN OF DARIEN
BOARD OF SELECTMEN
REGULAR MEETING
JULY 18, 2005**

ATTENDANCE: Evonne M. Klein, First Selectwoman; Dr. Joseph Miceli;
Linda Santarella; Barbara Thorne
Robert Harrel (not present)

STAFF: John Crary, Administrative Officer

CALL TO ORDER

The First Selectwoman called the Regular Meeting to order at 7:30 p.m.

FIRST SELECTWOMAN'S REPORT

Ms. Klein reported that the CL&P Citing Council will be rendering their decision regarding the Glenbrook cable project on Wednesday. She stated that three weeks ago they took a straw vote that indicated they are approving the primary route with variations. Ms. Klein reported that she met with Brookside Drive residents and the CL&P to hear their concerns about the project.

Ms. Klein reported that she received the resolution from Planning & Zoning pertaining to outdoor dining and she is working with the State on it and will then meet with restaurant owners.

Ms. Klein reported that last week the Community Band held their second concert at the beach and it was well attended. She thanked the Darien Sports Shop for sponsoring it. She reported that on July 27th there will be another concert at Weed Beach at 8:00 p.m.

Ms. Klein reported that Cable TV broadcast will be up and running in September. She stated that this was another way to communicate with the community what was going on in the Town and the decisions that are being made.

Ms. Klein reported that she met with Patton Drive residents regarding the cut through situation and she will forward a report to the Police Chief and the Commission.

ADMINISTRATIVE OFFICER'S REPORT

Mr. Crary reported that there is a vacancy for the EPC position in Planning and Zoning. He stated that he advertised in professional journals and had received two resumes. He reported that he hoped to have the position filled by the end of August.

SENIOR CENTER TASK FORCE REPORT

Mr. Craig Curtis stated that he was the Temporary Secretary for Linda Goodyear. He reported that the Task Force visited three other Senior Center facilities in Westport, Ridgefield and Fairfield. He commented that they were all very attractive, all well lit, and all had excellent gym facilities. He stated that the Fairfield Senior Center was very large and offered a great variety of programs and seemed busier than the others. He reported that the ambiance in Ridgefield was palatial, austere and very formal. He noted that the Darien Senior Center's programs were equal to all of the others, if not better. Mr. Curtis pointed out that other centers have paid instructors and that Darien was the only one that did not. Ms. Flora Smith asked how many residents use the other three Senior Centers and Ms. Nancy Zengo reported that in Fairfield there were 250 a day, Westport 175 a day, Ridgefield 200 a day, and Darien 70 a day. Ms. Klein noted that Fairfield's population was three times that of Darien's. Mr. Rick Pfeiffer asked if programs for longer life were looked into and also cooperative programs with neighboring Towns. Ms. Mary Giarratana replied that all of the three Senior Centers that were looked at receive money from the State and have open enrollment. Mr. Curtis reported that it was very clear that physical activity was very important to the seniors. Ms. Susan Young asked if there was anything in the charge about locations. Ms. Klein stated that the charge was to determine what to do with the Senior Center building itself and when that is determined, the location will then be looked at. Ms. Santarella stated that the first step was to look at the building and its structure.

Mr. Curtis stated that over the next six weeks they will elect officers and will have a full detailed cost estimate for the renovation of the current Senior Center and the cost for a new Senior Center. Ms. Klein pointed out that money was budgeted for this project. She thanked the members of the Senior Task Force for attending.

NEW BUSINESS

a) Discussion regarding the Darien Fire Horn

Ms. Klein stated that she received a letter from Fire Chief Dennis Smith stating that he, the Board of Officers and the Darien Fire Department believe that the fire horns are a vital secondary means of communication for the volunteer fire service. He stated that the primary system is a radio pager system, but it was not without limitations, interference, and potential failure. He reported that the National Fire Protection Association recommends that two separate methods of alerting firefighters be used. Chief Smith's letter concluded that the fire horns were essential to the structure and level of service the volunteer fire departments provide to the Town of Darien.

Ms. Thorne stated that she lives on 37 Dickerson Road, which is next to the Noroton Fire Department. She reported that she had researched the decibel level of the fire horn which she found was 100-110 decibels. Her research showed that over 100 decibels was considered a problem and raises blood pressure and makes people angry. She called attention to the number of fire calls listed in the local paper. She stated that she has been able to work with the Noroton Fire Department and they have reached a very satisfactory relationship. She noted that the key things to consider are the direction of the horn, shorter beeps that are not repeated, and the tone.

She recommended working together with the three Chiefs to figure out what was common practice because fire horns as a secondary response system was needed.

Mr. Jim Mageras reported that he had investigated the Darien fire horn and stated that it was in violation of federal guidelines and causes a serious health concern. He reported that the EPA had medical and lab data on what the noise level does to people over time, especially children and senior citizens. He reported that across the land fire departments have modified their use to protect public risk. Mr. Rick Pfeiffer stated that the fire horn goes off so frequently that he cannot believe there are that many fires. Mr. Joseph Larizza of Highland Avenue stated that the horn was very loud and he was very concerned. Mr. Joseph Warren, a member of the Noroton Volunteer Fire Department for forty years, stated he was very empathetic to the issues, however he was not 100% sure of the source of the information and he questioned what the federal guidelines were. He stated that the issues that had to be addressed were the number of times the fire horns were blown unnecessarily. He stated that they should continue to work with the Police Department to reduce the number of times the horns go off. Ms. Thorne stated that she wanted to reassure everyone and would like to get the three Fire Chiefs and the Fire Commission together to tone down the sound and address the concerns of the neighbors. Ms. Klein stated that the Board will move forward on this and meet with the Chiefs and the Fire Commission and will have answers for the neighbors.

b) Discuss and Take Action on request for the Darien Road Race for September 18, 2005

Ms. Santarella asked why every year the race was held at Pear Tree Point and why Weed Beach was not considered. She stated that she would like to know definitively what the plan was for police direction since in the past it has been total chaos for the residents that live there. She stated that she was not anti-race or anti the cause, however she wanted more information on the route plan and police plan. Ms. Klein stated that the group was trying to make improvements and were working with the Police Department. She felt that they were fortunate to have this event in the Town.

**** MS. SANTARELLA MOVED TO APPROVE THE DARIEN ROAD RACE FOR SEPTEMBER 18, 2005.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

c) Review Draft Employees' Guide

Ms. Alison Graham, Director of Human Resources, was present. Ms. Santarella asked if any part of the Employees' Guide had to be negotiated with the union. Ms. Graham stated that it did not and she had used the union to guide her. Mr. Peter Hovell stated that had reviewed the Employees' Guide and he did not see anything that was subject to union negotiations. Ms. Graham pointed out that the Employees Guide' will need to be reviewed yearly and may also need to be republished. Mr. Crary stated that it will also be found on the internet. Ms. Klein stated that the Employees' Guide did not need to be voted on. She thanked Ms. Graham for her work on putting together the Employees' Guide and taking it to professional standards

d) Resolution establishing Administrative Group Pay Plan for 2005-06

**** DR. MICELI MOVED TO APPROVE THE RESOLUTION ESTABLISHING THE ADMINISTRATIVE GROUP PAY PLAN FOR 2005-06.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

e) Discuss and Take Action on additional funding to dredge the Town Hall Pond

Ms. Klein stated that Bob Steeger wrote a letter to the Board requesting additional funding to dredge the Town Hall pond. Mr. Crary reported that originally the project budgeted in 1994 was based on digging the pond and prior to securing State and Federal permits. Mr. Crary stated that when the State permit was issued a year ago they tested the pond and said all material had to be treated as polluted and disposed of and that this now added to the cost of the project significantly. He reported that two bids were received in the amounts of \$212,000 and \$234,270 and that both far exceed the \$27,877 available for the project. He stated that Mr. Steeger was requesting a transfer from the contingency fund in the amount of \$185,000. Dr. Miceli asked what would happen if they did not dredge the pond. Mr. Crary replied that the brook would not move as fast and it would become a stream and pollute other places. Ms. Thorne added that it would cause flooding. Ms. Klein commented that they needed to maintain the waterways. Mr. Joseph Warren asked what the source of the pollution was. Mr. Crary replied that it was from material washing off the streets and that road dirt from I-95 was not discounted. It was discussed that the State could be at fault and that should be looked into. The Board agreed that since the permit expires on September 30th they could not afford to wait to do this project but would contact the State, DEP and FEMA to determine if I-95 is causing the pollution.

**** DR. MICELI MOVED TO APPROVE THE ADDITIONAL FUNDING TO DREDGE THE TOWN HALL POND.**

**** MS. THORNE SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

f) Discuss and Take Action on Health Insurance for Volunteers

Ms. Klein stated that this item has been discussed twice before and she is in support of allowing volunteer emergency service workers to pay for their own health insurance through the Town's plan. She stated that the standards for qualifying would be the same as the standards used for qualifying for tax relief. Ms. Klein continued that the volunteer would have to be an active member for a year or 120 hours and would then be eligible to participate in the insurance plan. Ms. Klein noted that the State Representative went to Hartford to fight for this.

Ms. Klein stated that they should establish three separate groups with three different rates in order to participate: active employees, volunteer employees and retired employees.

Ms. Santarella stated that Bob Harrel had a position on this and she would like to wait until he was present to vote. Ms. Thorne stated that she would not be present at the next meeting to vote. Dr. Miceli stated that the Town had the largest volunteer Fire Department in Fairfield County and they have a very difficult job to do and he would hate for this to go to a paid service. Flora Smith asked for more financial data and a spreadsheet with actuarial comparisons. Ms. Klein stated that the volunteers would fund this themselves and there would be no burden on the taxpayers. Karen Armour commented that this was meant for someone who does not have access to a group plan. Peter Hovell stated that the Board had received his concerns and he felt they had to work out a Workers Compensation procedure. Mr. Crary replied that they had one now. Mr. Hovell stated that they should not implement this until they have rules and procedures. The Board directed Mr. Crary to develop the rules and regulations. Ms. Santarella stated that she was not prepared to vote until a full Board was present and that she would abstain.

- ** DR. MICELI MOVED TO APPROVE HEALTH INSURANCE FOR VOLUNTEERS.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED WITH THREE IN FAVOR AND ONE ABSTENTION (MS. SANTARELLA) ROBERT HARREL DID NOT ATTEND MEETING.**

PUBLIC COMMENT

There were no comments from the public.

APPOINTMENTS/REAPPOINTMENTS

1. Consider and take action on the following appointments:

- a) Susan Kostin (D) as a member of the Housing Authority for a term beginning on July 1, 2005 and expiring on June 30, 2010.**

- ** MS. SANTARELLA MOVED TO APPOINT SUSAN KOSTIN (D) AS A MEMBER OF THE HOUSING AUTHORITY FOR A TERM BEGINNING ON JULY 1, 2005 AND EXPIRING ON JUNE 30, 2010.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- b) Marcia Meinerth (D) as a member of the Beautification Commission, to fill the term of Pat Parlette beginning 12/2/02 and expiring on 11/30/05.**

- ** DR. MICELI MOVED TO APPOINT MARCIA MEINERTH (D) AS A MEMBER OF THE BEAUTIFICATION COMMISSION, TO FILL THE TERM OF PAT PARLETTE BEGINNING 12/2/02 AND EXPIRING ON 11/30/05.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

- c) Charles Forman (R) as a member of the Sewer Commission, replacing John Fisher, for a term beginning 1/1/05 and expiring on 12/31/07.

**** DR. MICELI MOVED TO APPOINT CHARLES FORMAN (R) AS A MEMBER OF THE SEWER COMMISSION, REPLACING JOHN FISHER, FOR A TERM BEGINNING 1/1/05 AND EXPIRING ON 12/31/07.**

There was no action taken.

- d) Janet Evans (D) as a member of the Housing Authority, to fill the term of John Hrusa beginning 5/19/03 and expiring on 6/30/06.

There was no action taken.

APPROVAL OF PREVIOUS MINUTES

REGULAR MEETING OF JUNE 6, 2005

The following change was made to the Minutes:

Page 6 and 7: Change spelling on all to Patty Schoen.

**** MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF JUNE 6, 2005 AS AMENDED.
** MS. THORNE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

REGULAR MEETING OF JULY 5, 2005

The following changes were made to the Minutes:

Page 2: Report of the Tokeneke School Building Committee. Replace second sentence with: Turner Construction has been selected as the Construction Manager.

Page 2: Town Website Taskforce: Second paragraph: First sentence. Replace with: Ms. Berry reviewed the recommendations of the Website Committee.

**** MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE
REGULAR MEETING OF JULY 5, 2005 AS AMENDED.
** DR. MICELI SECONDED.
** MOTION PASSED WITH THREE IN FAVOR AND ONE ABSTENTION (MS. THORNE).**

EXECUTIVE SESSION MEETING OF JULY 5, 2005

- ** MS. SANTARELLA MOVED TO APPROVE THE MINUTES OF THE EXECUTIVE SESSION MEETING OF JUNE 5, 2005.**
- ** DR. MICELI SECONDED.**
- ** MOTION PASSED WITH THREE IN FAVOR AND ONE ABSTENTION (MS. THORNE).**

FORTHCOMING MEETINGS

| | |
|-----------------|---|
| June 19, 2005 | Board of Finance Regular meeting at 7:30 p.m. |
| July 20, 2005 | Parks and Recreation Regular meeting at 7:30 p.m. |
| July 26, 2005 | Planning and Zoning Public Hearing at 8:00 p.m. |
| August 1, 2005 | Board of Selectmen Regular meeting at 5:30 p.m. |
| August 8, 2005 | Board of Selectmen Special meeting at 5:30 p.m. |
| August 15, 2005 | Board of Selectmen Regular Meeting at 7:30 p.m. |

OTHER BUSINESS

(A two-thirds majority vote is required to add an item to the agenda)

- ** MS. SANTARELLA MOVED TO ADD AN ITEM TO THE AGENDA TO DISCUSS TRANSFERS.**
- ** MS. THORNE SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

Transfers:

Police Department – Administration

Mr. Crary stated that the payment of compensated absences due to the former Chief of Police upon his retirement caused the Admin-Full time account to exceed the budget.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

| FROM: | | | TO: | | |
|----------------|----------|-----------|----------------|----------------------|-----------|
| Account No. | Account | Amount | Acct. No. | Account | Amount |
| 10302213 81001 | Admin-FT | \$111,682 | 10302223-81001 | Detective-Full Time | 47,743 |
| | | | 10302223-81001 | Patrol Full Time | 15,288 |
| | | | 10302223-81002 | Records - Part Time | 2,935 |
| | | | 10503011-81003 | Youth – Seasonal | 17,172 |
| | | | 10302293-81003 | Crossing Guards | 1,440 |
| | | | 10302223-81003 | Prisoner Cust-Seas | 1,030 |
| | | | 10302313-81004 | Fleet – Overtime | 1,800 |
| | | | 10302223-81009 | Patrol-Holiday Pay | 2,013 |
| | | | 10302223-81011 | Patrol-Shift Diff | 3,498 |
| | | | 10602223-81019 | Beaches-Security | 7,874 |
| | | | 10302223-81004 | Detective-Overtime | 4,636 |
| | | | 10302223-81009 | Detective-Holidays | 4,240 |
| | | | 10302223-81011 | Detective-Shift Diff | 2,013 |
| | TOTAL | \$111,682 | | TOTAL | \$111,681 |

**** MS. SANTARELLA MOVED TO APPROVE THE TRANSFER OF
APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:**

| FROM: | | | TO: | | |
|----------------|----------|-----------|----------------|----------------------|-----------|
| Account No. | Account | Amount | Acct. No. | Account | Amount |
| 10302213 81001 | Admin-FT | \$111,682 | 10302223-81001 | Detective-Full Time | 47,743 |
| | | | 10302223-81001 | Patrol Full Time | 15,288 |
| | | | 10302223-81002 | Records - Part Time | 2,935 |
| | | | 10503011-81003 | Youth – Seasonal | 17,172 |
| | | | 10302293-81003 | Crossing Guards | 1,440 |
| | | | 10302223-81003 | Prisoner Cust-Seas | 1,030 |
| | | | 10302313-81004 | Fleet – Overtime | 1,800 |
| | | | 10302223-81009 | Patrol-Holiday Pay | 2,013 |
| | | | 10302223-81011 | Patrol-Shift Diff | 3,498 |
| | | | 10602223-81019 | Beaches-Security | 7,874 |
| | | | 10302223-81004 | Detective-Overtime | 4,636 |
| | | | 10302223-81009 | Detective-Holidays | 4,240 |
| | | | 10302223-81011 | Detective-Shift Diff | 2,013 |
| | TOTAL | \$111,682 | | TOTAL | \$111,681 |

**** MS. THORNE SECONDED.
** MOTION PASSED UNANIMOUSLY.**

Employee Benefits

Mr. Crary reported that medical costs are over budget due to a \$30,000 cut in the budget and prescription claims that ran higher than anticipated. He also stated that dental insurance was over budget due to claims being higher than anticipated.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

| FROM: | | | TO: | | |
|--------------------|-------------------|-----------------|------------------|-----------------|-----------------|
| Account No. | Account | Amount | Acct. No. | Account | Amount |
| 10701001-82100 | Medical Insurance | \$24,195 | 10703611-82525 | Workers Comp | \$13,543 |
| 107001001-82101 | Dental Ins. | 4,404 | 10701001-82108 | Accrued Leave | 3,551 |
| | | | 10704000-86600 | Contingency | 5,429 |
| | | | 10701001-82103 | Life & AD&D | 2,413 |
| | | | 10701001-82106 | Social Security | 3,663 |
| TOTAL | | \$28,599 | TOTAL | | \$28,599 |

**** MS. SANTARELLA MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:**

| FROM: | | | TO: | | |
|--------------------|-------------------|-----------------|------------------|-----------------|-----------------|
| Account No. | Account | Amount | Acct. No. | Account | Amount |
| 10701001-82100 | Medical Insurance | \$24,195 | 10703611-82525 | Workers Comp | \$13,543 |
| 107001001-82101 | Dental Ins. | 4,404 | 10701001-82108 | Accrued Leave | 3,551 |
| | | | 10704000-86600 | Contingency | 5,429 |
| | | | 10701001-82103 | Life & AD&D | 2,413 |
| | | | 10701001-82106 | Social Security | 3,663 |
| TOTAL | | \$28,599 | TOTAL | | \$28,599 |

**** DR. MICELI SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

Private Duty Fund/General Fund

Mr. Crary reported that this transfer was to allow the General Fund to take in the fund balance of the Private Duty fund. It represents the administrative fees which have been charged on services.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

| FROM: | | | TO: | | |
|--------------------|-----------------------|-----------------|------------------|----------------|-----------------|
| <u>Account No.</u> | <u>Account</u> | <u>Amount</u> | <u>Acct. No.</u> | <u>Account</u> | <u>Amount</u> |
| 101010111-49500 | Operating Transfer In | \$59,963.93 | 23032283-87875 | Transfer Out | \$59,963.93 |
| | TOTAL | \$59,964 | | TOTAL | \$59,964 |

**** DR. MICELI MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:**

| FROM: | | | TO: | | |
|--------------------|-----------------------|-----------------|------------------|----------------|-----------------|
| <u>Account No.</u> | <u>Account</u> | <u>Amount</u> | <u>Acct. No.</u> | <u>Account</u> | <u>Amount</u> |
| 101010111-49500 | Operating Transfer In | \$59,963.93 | 23032283-87875 | Transfer Out | \$59,963.93 |
| | TOTAL | \$59,964 | | TOTAL | \$59,964 |

**** MS. THORNE SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

Downtown Revitalization

Mr. Crary reported that during the budget process, the request for \$30,000 for Downtown Revitalization was removed from the regular budget and placed into contingency. The project is now underway and a portion of the Town's contribution has been requested.

RESOLVED:

That the following transfer of appropriations is approved for referral to the Board of Finance:

| FROM: | | | TO: | | |
|--------------------|----------------|-----------------|------------------|-----------------|-----------------|
| <u>Account No.</u> | <u>Account</u> | <u>Amount</u> | <u>Acct. No.</u> | <u>Account</u> | <u>Amount</u> |
| 10704000-86600 | Contingency | \$14,250 | 10209011-85001 | Downtown Revit. | \$14,250 |
| | TOTAL | \$14,250 | | TOTAL | \$14,250 |

**** DR. MICELI MOVED TO APPROVE THE FOLLOWING TRANSFER OF APPROPRIATIONS FOR REFERRAL TO THE BOARD OF FINANCE:**

| FROM: | | | TO: | | |
|--------------------|----------------|-----------------|------------------|-----------------|-----------------|
| <u>Account No.</u> | <u>Account</u> | <u>Amount</u> | <u>Acct. No.</u> | <u>Account</u> | <u>Amount</u> |
| 10704000-86600 | Contingency | \$14,250 | 10209011-85001 | Downtown Revit. | \$14,250 |
| | TOTAL | \$14,250 | | TOTAL | \$14,250 |

**** MS. THORNE SECONDED.**
**** MOTION PASSED UNANIMOUSLY**

**** MS. SANTARELLA MOVED TO ADJOURN THE MEETING.**
**** DR. MICELLI SECONDED.**
**** MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 10:05p.m.

Respectfully Submitted,

Donna DeVito
 Telesco Secretarial Services